

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Vinay Deo et al.

Appln. No.:

Filed : HEREWITH

Group Art Unit: 2766

For : SYSTEM FOR BROADCASTING TO,  
AND PROGRAMMING, A MOBILE  
DEVICE IN A PROTOCOL, DEVICE  
AND NETWORK INDEPENDENT  
FASHION

Examiner: C. Tucker

Docket No.: M61.12-0685

**PRELIMINARY AMENDMENT**

EXPRESS MAIL NO. EL636004544US  
DATE OF DEPOSIT: January 17, 2001

Box Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231  
Sir:

Please amend the above-identified application as follows:

IN THE SPECIFICATION

On page 1, line 5, before "The present application", please insert the following:

-- This application is a divisional application stemming from U.S. Patent Application Serial No. 09/108,953, filed on June 30, 1998. The benefit of the filing date of the above-mentioned application is hereby claimed.--

On page 1, line 16, please delete "\_\_\_\_\_ filed on even date herewith" and enter in its place --09/107,899 filed on June 30, 1998--.

IN THE CLAIMS

Please cancel claims 1-36 and 45-50.

REMARKS

Applicants respectfully request entry of this Preliminary Amendment prior to the first Official Action and prior to calculating the fees for the application.

The present application is a divisional of U.S. Patent Application Serial No. 09/108,953. In the Office Action regarding that application and dated January 20, 2000, the Examiner restricted the claims. This Preliminary Amendment cancels all of the claims of the parent application except claims 37-44.

The present amendment also adds a cross-reference to the co-pending application and adds the serial number and filing date of an application incorporated by reference.

Applicants respectfully request consideration and allowance of claims 37-44.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

John A. Wiberg, Reg. No. 44,401  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

JAW:tas